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JUN 19 2008

**OFFICE OF PETITIONS**

In re Patent No. 7,329,771 : DECISION ON REQUEST  
Tanaka et al. : FOR RECONSIDERATION OF  
Issue Date: February 12, 2008 : PATENT TERM ADJUSTMENT  
Application No. 10/526,660 : and  
Filed: March 4, 2005 : NOTICE OF INTENT TO ISSUE  
Atty Docket No. Q86056 : CERTIFICATE OF CORRECTION

This is a decision on the "REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT PURSUANT TO 37 C.F.R. § 1.705(D)," filed March 5, 2008. Patentees request that the patent term adjustment indicated in the patent be corrected from three hundred ninety-one (391) days to five hundred three (503) days.

The request for reconsideration of the patent term adjustment indicated in the patent is **GRANTED**.

The patent term adjustment indicated in the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of five hundred three **(503)** days.

On February 12, 2008, the above-identified application matured into U.S. Patent No. 7,329,771. The instant request for reconsideration filed March 5, 2008 was timely filed within two months of the issue date of the patent. See § 1.705(d). The Patent issued with a revised Patent Term Adjustment of 391 days. Patentees dispute the reduction of 112 days entered for an Information Disclosure Statement (IDS) filed October 24, 2007 as

firm records do not show that an IDS was filed on that date or at any time after the Notice of Allowance. Patentees further state that there was no applicant delay in association with the filing of the Issue Fee payment on December 12, 2007.

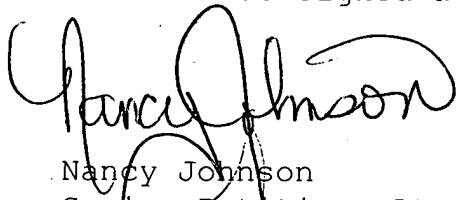
A review of the PTA calculations for this application reveals that the initial determination of PTA of 503 days was reduced by 112 days for patentees' submission of an IDS after the mailing of the notice of allowance. See 37 CFR 1.704(c) (10). However, a review of the application record supports a conclusion that no IDS (or any other paper, aside from the instant petition and payment of the issue fee) were filed in this application after the mailing of the notice of allowance. Accordingly, the period of reduction of 112 days for applicant delay pursuant to 37 CFR 1.704(c) (10) is not warranted and is being removed.

In view thereof, the patent term adjustment indicated in the patent should have been five hundred three **(503)** days.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by FIVE HUNDRED THREE (503) days.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", with a stylized, cursive script.

Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions

Enclosure:      Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT : 7,329,771 B2

DATED : February 12, 2008

INVENTOR(S): Tanaka et al.

DRAFT

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 391 days

Delete the phrase "by 391 days" and insert – by 503 days--

Day : Friday  
Date: 6/13/2008

# PALM INTRANET

Time: 16:04:05

PTA Calculations for Application: 10/526660			
Application Filing Date:	03/04/2005	PTO Delay (PTO):	503
Issue Date of Patent:	02/12/2008	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	112
Post-Issue Petitions:	0	Total PTA (days):	503
PTO Delay Adjustment:	112		

File Contents History					
Number	Date	Contents Description	PTO	APPL	START
49	06/13/2008	ADJUSTMENT OF PTA CALCULATION BY PTO	112		
42	02/12/2008	PATENT ISSUE DATE USED IN PTA CALCULATION			
41	10/24/2007	REFERENCE CAPTURE ON IDS			
40	10/24/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		112	
39	01/11/2008	EXPORT TO FINAL DATA CAPTURE			
38	01/10/2008	DISPATCH TO FDC			
37	01/08/2008	APPLICATION IS CONSIDERED READY FOR ISSUE			
36	12/17/2007	ISSUE FEE PAYMENT VERIFIED			
35	12/17/2007	ISSUE FEE PAYMENT RECEIVED			
34	10/22/2007	FINISHED INITIAL DATA CAPTURE			
33	09/25/2007	EXPORT TO INITIAL DATA CAPTURE			
32	09/25/2007	MAIL MISCELLANEOUS COMMUNICATION TO APPLICANT			
31	09/25/2007	MAIL EXAMINER'S AMENDMENT			
30	09/21/2007	EXAMINER'S AMENDMENT COMMUNICATION			
29	09/21/2007	MISCELLANEOUS COMMUNICATION TO APPLICANT - NO ACTION COUNT			
28	09/19/2007	MAIL NOTICE OF ALLOWANCE	503		-1
27	09/19/2007	MAIL EXAMINER'S AMENDMENT			
26	09/14/2007	ISSUE REVISION COMPLETED			
25	09/14/2007	DOCUMENT VERIFICATION			
24	09/14/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
23	09/14/2007	CASE DOCKETED TO EXAMINER IN GAU			
22	09/04/2007	EXAMINER'S AMENDMENT COMMUNICATION			

21	09/04/2007	NOTICE OF ALLOWABILITY			
20	03/04/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
19	07/21/2007	CASE DOCKETED TO EXAMINER IN GAU			
18	07/11/2007	CASE DOCKETED TO EXAMINER IN GAU			
17	07/03/2007	TRANSFER INQUIRY TO GAU			
16	05/15/2007	CASE DOCKETED TO EXAMINER IN GAU			
15	04/02/2007	CASE DOCKETED TO EXAMINER IN GAU			
14	03/31/2007	CASE DOCKETED TO EXAMINER IN GAU			
13	09/02/2006	CASE DOCKETED TO EXAMINER IN GAU			
12	07/06/2006	CORRESPONDENCE ADDRESS CHANGE			
11	06/16/2006	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
10	03/04/2005	PRELIMINARY AMENDMENT			
9	03/04/2005	REFERENCE CAPTURE ON IDS			
8.7	03/04/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
8	03/04/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
7	03/12/2006	CLEARED BY OIPE CSR			
6	03/12/2006	CLEARED BY OIPE CSR			
5	03/12/2006	CLEARED BY OIPE CSR			
4	03/04/2005	371 COMPLETION DATE			
3	09/06/2005	APPLICATION DISPATCHED FROM OIPE			
2	09/06/2005	NOTICE OF DO/EO ACCEPTANCE MAILED			
1	03/04/2005	INITIAL EXAM TEAM NN			

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#### **EXPLANATION OF PTA CALCULATION**

#### **EXPLANATION OF PTE CALCULATION**

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